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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,351	05/30/2001	Wilhelm-Martin Plotz	P01,0137	6281
29177	7590	03/25/2004		
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			EXAMINER NGO, HUNG NHAT	
			ART UNIT	PAPER NUMBER
			2633	

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/807,351

Applicant(s)

WIHELM-MARTIN PLOTZ ET AL.

Examiner

Hung N Ngo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/12/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu et al (6,208,443) in view of Kai et al (6,278,536) or Fatehi (6,122,096).

Liu et al discloses a a grating filter (TRF, Fig. 5), designed as a bandstop filter, for optical ring network (Figs. 15A-16B) for outputting optical signals; a first coupler (404, Fig. 5) having one input, to which incoming signals are fed, and two outputs which are a first output (output coupled to grating filter) and a second output (output coupled to DEMUX 512); and a second optical coupler (TRF, 405, Fig. 5) that is connected to the first output, the second optical coupler being designed as a grating filter with bandstop properties, the grating filter being tuned to a wavelength of a signal to be launched, such that the signal is reflected as a reflected signal, and incoming signals having all other wavelengths are passed at, and output at, an output, the second optical coupler having an add input (A1, Fig. 5) into which the signal to be launched is fed against its s transmission direction, reflected, and added to the passed signals (Fig. 5).

Liu et al does not disclose the limitation "said second output of said first coupler being connected to a further optical filter". However, it is well known in the art to provide filters to allow only wavelengths being detected by the detectors at the drop port to reduce optical noise and increase quality of the signals at the output of the detectors (see filter 265 in Fig. 3 of fatehi and filter 13 in Fig. 3 of Kai et al). Therefore, it would have been obvious to one skill in

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the art to provide filters to allow only wavelengths being detected by the detectors at the drop port of Liu et al to reduce optical noise and increase quality of the signals at the output of the detectors (502, Fig. 5 of Liu et al). Liu et al discloses different transmission channels at the drop port. Liu et al further discloses second optical coupler has a further connection via which said reflected signals are led to an optical sink (receivers or detectors). Liu further discloses ring network, comprising: a plurality of network nodes, in which data signals are transmitted in wavelength-division multiplex operation via an optical fiber and every network node is assigned for its data signal to be emitted an assigned transmission channel with a transmission band used only once (Figs. 15A-16B and lines 1-10 of column 2). And the optical ring network further comprising a further fiber provided for protection purposes (Figs. 16A and lines 1-20 of column 2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung N Ngo whose telephone number is (703) 308-0297. The examiner can normally be reached on M-F (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 703-305-4729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Hung N Ngo
Primary Examiner
Art Unit 2633